

OFFICIAL COPY

Fresno, California

October 2, 2001

The City Council met in joint session with the Redevelopment Agency at the hour of 8:30 a.m. in the Council Chambers, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Brian Calhoun	Councilmember
	Brad Castillo	Councilmember
	Jerry Duncan	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Acting Council President
	Henry Perea	Council President

Dan Hobbs, City Manager
Dan Fitzpatrick, Agency Executive Director
Hilda Cantu Montoy, City Attorney
Rebecca Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

The Pastor of Church for Today gave the invocation and the Pledge of Allegiance to the Flag was recited.

PROCLAMATION OF DIABETES AWARENESS DAY - PRESIDENT PEREA

PROCLAMATION OF ANGELS ON WHEELS ROAD TO RECOVERY PROGRAM DAY - COUNCILMEMBER QUINTERO

PROCLAMATION OF CIVIL WAR REVISITED WEEKEND

The above proclamations were read and presented.

PRESENTATION OF PLAQUES BY THE UNITED WAY TO SPECIFIC CITY EMPLOYEES

Presentations made.

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The City Council and Redevelopment Agency convened in joint session at 8:54 a.m.

(“A”) CONSIDER PROGRAM FINAL EIR NO. 2000-01 FOR THE CONVENTION CENTER REDEVELOPMENT PROJECT AREA - DOWNTOWN PRESTIGE MIXED USE DEVELOPMENT WITHIN THE MARIPOSA AND CONVENTION CENTER REDEVELOPMENT PROJECT AREAS

1. RESOLUTION NO. 01-308/1591 - CERTIFYING PROGRAM EIR NO. 2000-01 WITH THE FOLLOWING ATTACHMENTS:

MITIGATION

b. STATEMENT AND FINDINGS OF UNAVOIDABLE ADVERSE EFFECTS

c. FINDINGS ON PROJECT ALTERNATIVES

d. STATEMENT OF OVERRIDING CONSIDERATION THAT THE PROJECT BENEFITS OUTWEIGH THE UNAVOIDABLE ADVERSE EFFECTS

e. MITIGATION MONITORING CHECKLIST

Redevelopment Administrator Murphey gave brief opening remarks, RDA Consultant Bruce O'Neil, Land Use Associates, reviewed the final Program EIR that was prepared for six projects in the convention center area, and Traffic Consultant Charlie Klaus, TPG, addressed the traffic impacts.

Speaking to the issue were: Barbara Hunt, 612 "F" Street; and Joe Guagliardo, 4910 E. Clinton Way, Ste. 103, Who spoke in support of downtown development but felt certifying the EIR at this time was premature.

Lengthy discussion ensued with Mr. O'Neil, Director Fitzpatrick and City Attorney Montoy responding to questions, comments and/or concerns of President Perea, Acting President Ronquillo and Councilmember Boyajian relative to plans for the two historic homes on the site, considering moving the homes to the Uptown District, number of developers involved and if any plans were in the works, a massive parking structure prohibiting the potential expansion of the Selland arena in the future, need to encourage and construct pedestrian walks, how a program EIR differed from a regular EIR, if the subject EIR was adequate for the Wyndham Hotel project (if it were resurrected), if Copper River was brought into the county with this type of EIR, if separate EIR's would have to be conducted for the different projects, long-term traffic impacts and responsibility for mitigation, **(2 - 0)** the city's option since the EIR does not address specific projects, and what approval of the EIR this date would mean. Chair Duncan thanked staff for all their work and efforts.

On motion of President Perea, seconded by Acting President Ronquillo, duly carried, RESOLVED, the above entitled Joint Council/Agency Resolution No. 01-308/1591 hereby adopted, by the following vote:

Ayes	:	Calhoun, Castillo, Perea, Quintero, Ronquillo, Duncan
Noes	:	Boyajian
Absent	:	None

APPROVE REDEVELOPMENT AGENCY MINUTES OF SEPTEMBER 25, 2001

On motion of Councilmember Castillo, seconded by Acting President Ronquillo, duly carried, RESOLVED, the Agency minutes of September 25, 2001, approved as submitted.

("B") RECEIVE REPORT AND GIVE DIRECTION TO STAFF REGARDING DEVELOPMENT OF REDEVELOPMENT PROJECT AREAS FOR IMPLEMENTATION OF AN INNER CITY NEIGHBORHOOD REVITALIZATION PROGRAM

Director Fitzpatrick reviewed the staff report as submitted using a map to illustrate, requested Council's input and advised staff would return with detailed boundaries.

Barbara Hunt, 612 “F” Street, spoke to the issue.

Councilmember Calhoun concurred with Mr. Fitzpatrick’s comments/position on the Highway City/99 corridor relative to homes and spoke in support of including the Golden State/99 corridor in the boundary area. Acting President Ronquillo stated he saw the northeast corridor as a key area that would be a critical area to get into and which would create the most positive impact and explained. Mr. Fitzpatrick responded to questions of Councilmember Boyajian relative to time frame for the redevelopment area around Crystal/Clinton down to Olive Avenue, if public hearings would be required on the issue, and if council would have the opportunity to provide input. With the exception of the Maroa area west to the railroad tracks President Perea stated he would like to see everything east of Maroa as a study area. Mr. Fitzpatrick responded to questions and/or comments of Councilmember Quintero relative to what funds would be used to rehabilitate homes outside redevelopment areas, support for loans instead of grants (as in HNR) to keep the money cycle flow, if the Agency currently had any loan programs, the minor rehabilitation program and waiting list, HNR programs, applicants and process, and time line for staff to report back on survey areas.

On motion of Acting President Ronquillo, seconded by Chair Duncan, duly carried, RESOLVED, staff directed to (1) proceed with the preparation of a resolution adopting survey area boundaries to determine the feasibility of an Inner City Revitalization Redevelopment Project Area, and (2) solicit consultant services to prepare the Redevelopment Planning studies to determine the feasibility of a Redevelopment Plan for the Inner City Revitalization Redevelopment Survey Area and return with recommendations within 45 days, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Perea, Quintero, Ronquillo, Duncan
Noes	:	None
Absent	:	None

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The joint bodies adjourned their meeting at 9:49 a.m. and the City Council convened in regular session.

APPROVE CITY COUNCIL MINUTES OF SEPTEMBER 25, 2001

On motion of Councilmember Castillo, seconded by Councilmember Quintero, duly carried, RESOLVED, the minutes of September 25, 2001, approved as submitted.

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APPROVE AGENDA:

10:00 A.M. #1, #2, #3 AND #4 ITEMS - COUNCILMEMBER QUINTERO
(CONSIDERED AND ACTED UPON LATER AS SCHEDULED)

Councilmember Quintero questioned why his item ended up as #4 and expressed concern and questioned if #2 would have any impact on #4, with President Perea and City Attorney Montoy responding and clarifying what was at issue and what actions, if any, were proposed.

DIRECT STAFF TO SCHEDULE AN UPDATE ON THE OPPORTUNITIES AND SOLUTIONS SUMMIT - COUNCILMEMBER CALHOUN

Direction made. The issue was originally set for October 16th and subsequently changed to October 30th .

**(11:00 A.M.) CONTINUED HEARING ON THE FORMATION OF COMMUNITY FACILITIES DISTRICT (CFD)
NO. 5 - FOUNDRY PARK (*CONTINUE TO OCTOBER 9, 2001, AT 11:00 A.M.*)**

Continued as noted.

On motion of Councilmember Quintero, seconded by Councilmember Castillo, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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ADOPT CONSENT CALENDAR:

(1A-11a) RESOLUTION NO. 01-309 - FORMING AN AGREEMENT BETWEEN THE CITY AND THE STATE OF CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING (P.O.S.T.) FOR THE PRESENTATION OF DRIVING SIMULATOR AND FORCE OPTION SIMULATOR TRAINING BY THE FRESNO POLICE DEPARTMENT ON BEHALF OF POST

On motion of Acting President Ronquillo, seconded by Councilmember Castillo, duly carried, RESOLVED, the above entitled Resolution No. 01-309 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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**VALIDITY OF SUBMITTING CONSENT CALENDAR ITEMS TO COUNCIL PRELIMINARILY -
COUNCILMEMBER CALHOUN**

Councilmember Calhoun questioned the validity of submitting items in advance and spending time on them when some of the items do not make it to the final agenda, with Assistant City Manager Souza responding and clarifying the process.

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(3A) REPORT ON THE INITIATIVE ENTITLED “COVERING ALL BASES, TOUCHING ALL LIVES”

Fire Chief Smith reviewed the initiative as contained in the staff report as submitted **(3 - 0)** and along with an unidentified staff member responded to questions relative to whether fire sprinkler changes would affect new construction only, if non-working smoke alarms were a problem in apartment complexes, if the code required working smoke alarms, number of deaths attributed to fires in the last 1-2 years, remodeling and requirements being cost prohibitive for older complexes, cost difference between new construction and remodeling, and comparison of Fresno's ordinance to other cities. Chief Smith was commended on the report and there was no further discussion.

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(10:00 A.M. #1) HEARING ON PLAN AMENDMENT NO. A-01-10 AND REZONING APPLICATION NO. R-01-13, FILED BY THANH VAN CAO, PROPERTY LOCATED ON THE EAST SIDE OF N. CEDAR SOUTH OF E. MCKINLEY AND NORTH OF E. FLORADORA (LOCATED IN DISTRICT 4)
(REMOVE FROM THE AGENDA AND REFER BACK TO STAFF FOR RE-NOTICING PLANNING COMMISSION AND COUNCIL HEARINGS)

On motion of Councilmember Castillo, seconded by Councilmember Duncan, duly carried, RESOLVED, the above entitled hearing on Plan Amendment No. A-01-10 and R-01-13, filed by Thanh Van Cao removed from the agenda and referred back to staff to re-notice the Planning Commission and City Council hearings, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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(10:00 A.M. #2) REITERATION OF COUNCIL BUDGETARY ACTION - PRESIDENT PEREA

President Perea distributed a page from the adopted budget and read into the record the portion relating to Council infrastructure budgets as follows: "Council discretionary capital is adopted at \$140,000 for FY 02 utilizing General Fund resource. The appropriations will be split 85 percent for infrastructure improvements, and the remaining 15 percent is to be used for qualifying Community Services upon approval by the Council", and added this was a recommendation of the Council Budget Committee and was approved unanimously by Council.

Councilmember Boyajian stated he wanted to use his entire \$140,000 on infrastructure but the policy specified 15 percent *had* to be used for community services. City Attorney Montoy recommended an appropriations resolution be brought back clarifying those members who wished could spend their entire amount on infrastructure and President Perea clarified the intent was to give Council the discretion to use *up to 15 percent* for community services. Acting President Ronquillo and Councilmember Duncan spoke in support of the adopted policy. No action was required and there was no further discussion.

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(10:00 A.M. #3) *RESOLUTION NO. 01-310 - ESTABLISHING THE CRITERIA FOR USE OF OUTSIDE AGENCY SUPPORT ACCOUNT FOR COMMUNITY SERVICES, AS AMENDED

Reviewed by City Attorney Montoy who advised the resolution related to the manner and procedures in which the 15 percent may be expended, stated there was a need to have something in place to protect the city and individuals council members and make clear at the outset that the expenditures did constitute public purposes, and recommended the resolution be adopted.

Councilmember Duncan spoke in support of the resolution but stated the issue of control relative to verifying that the funds are spent the way they were intended was missing and he felt that was critical to be included, with Ms. Montoy responding and recommending the resolution be referred back to staff to review and add language relative to accounting. Brief discussion ensued and a motion and second was made to adopt the resolution this date, *as amended*, to add No. 6 relative to accounting to the “Procedures for Processing Councilmember Requests for Payment”.

Councilmember Calhoun stated although he had the same concerns as Councilmember Duncan he felt the issue was broader noting \$500,000 had just been disbursed to various social service groups with no accounting and he felt the same accounting procedure should be followed with them with Ms. Montoy advising there were contracts for the social services groups. Brief discussion ensued and Councilmember Calhoun recommended and made a motion to refer the matter back to the city attorney for further review. Upon call, the motion died for lack of a second.

Councilmember Boyajian offered a friendly amendment to the motion to amend the third “whereas” recital on Page 1 of resolution to state “*up to* 15 percent” may be used for Community Services, which amendment was accepted by the motion-maker.

Councilmember Quintero stated he supported the resolution in terms of accountability but advised his concern was for the smaller organizations that did not have a very large staff, advised of the process his office undertook in dealing with groups requesting district funds, and advised his other concern was being locked in at 15% and he could not support the resolution as proposed.

Barbara Hunt, 612 “F” Street, spoke to the issue.

On motion of Councilmember Duncan, seconded by Acting President Ronquillo, duly carried, RESOLVED, the above entitled Resolution No. 01-310 hereby adopted, *as amended*, (1) adding the words “*up to*” in the third “Whereas” recital to read: “...(\$119,000) for capital projects, and *up to* 15% (\$21,000) for Community Services”; and (2) amending Attachment “A” relating to Procedure, adding No. 6 to state staff shall establish a mechanism to ensure the funds are expended for the intended purpose, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Ronquillo, Perea
Noes	:	Quintero
Absent	:	None

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(10:00 A.M. #4) *RESOLUTION - 24th AMENDMENT TO AAR 01-200 TRANSFERRING \$32,500 OF DISTRICT 5'S GENERAL FUND INFRASTRUCTURE BUDGET SPECIAL PROJECT ACCOUNT TO OUTSIDE AGENCY SUPPORT ACCOUNT TO FUND VARIOUS ORGANIZATIONS - COUNCILMEMBER QUINTERO

Councilmember Quintero read his comments into the record on why he believed Council should support funding for the groups named in the staff report; advised councils in the past had seen the wisdom in investing in youth, honoring veterans, supporting police and fire activities, and having a day to honor and appreciate seniors; noted no one in his district had objected to how he used his districts' budget in the seven years he had served on council and he did not understand why some council members were now concerned; stated there were two distinct differences between social service and community-based organizations and explained; stated no other member knew District 5 and its needs as well as he knew it and he would be sad and disappointed if a council majority chose to vote against the community at a time when government should be reaching out instead of taking away from the community; and made a motion to adopt the resolution.

Councilmember Duncan stated this was not an issue of Council being opposed to any of the groups stating they were fine groups and did great work, but was rather an issue of how to fund them and stated private fund-raising was the answer, and offered his assistance to Councilmember Quintero and any other member in solving any community issues adding resources and people willing to get involved were out there.

Acting President Ronquillo stated it was always difficult to say "no" to a councilmember trying to do the best he could for his district, concurred the groups at issue were good solid organizations, commented on the needs of his and all the other council districts and the city's financial condition (**4 - 0**), and stated he has tried to hold the line at 15% and supported that and that the matter could be debated in the future.

With no second being heard the motion died.

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(10:15 A.M.) HEARING ON PLAN AMENDMENT NO. A-01-18 AND REZONING APPLICATION NO. R-01-24, FILED BY SEECON PARTNERS, PROPERTY LOCATED ON THE EAST SIDE OF N. MARTY BETWEEN W. SHAW AND THE HERNDON CANAL

1. CONSIDER AND ADOPT NEGATIVE DECLARATION FOR ENVIRONMENTAL ASSESSMENT NO. A-01-18, R-01-24, S-01-228

2. RESOLUTION NO. 01-311 - AMENDING THE BULLARD COMMUNITY PLAN

3. BILL NO. B-78 - ORDINANCE NO. 01-70 - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM C-2/BA-20/CZ TO C-M/CZ

President Perea announced the time had arrived to consider the issue and opened the hearing. Planner Sanchez gave a brief overview of the staff report as submitted and recommended approval subject to the conditions outlined in the report.

Jim Donabed, Dirk Poeschel Development Services, 2310 Tulare Street, representing the applicant, gave a brief background overview and spoke in support of staff's recommendation and urged Council's support.

Councilmember Calhoun stated this was an interesting project that fit the area well and made a motion to approve staff's recommendation.

Upon call, no one else wished to be heard and President Perea closed the hearing.

On motion of Councilmember Calhoun, seconded by Acting President Ronquillo, duly carried, RESOLVED, the finding of a Negative Declaration for Environmental Assessment No. A-01-18, R-01-24 and S-01-228 dated August 28, 2001, hereby approved; the above entitled Resolution No. 01-311 hereby adopted; and the above entitled Bill No. B-78 adopted as Ordinance No. 01-70 subject to the conditions noted in the ordinance bill, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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(10:45 A.M.) HEARING ON REZONING APPLICATION NO. R-01-30 AND RELATED ENVIRONMENTAL FINDINGS FILED BY TRIPLE B DEVELOPMENT FOR PROPERTY LOCATED ON THE EAST SIDE OF S. CHERRY BETWEEN E. NORTH AND E. CENTRAL AVENUE

1. CONSIDER AND ADOPT THE MITIGATED NEGATIVE DECLARATION FOR ENVIRONMENTAL ASSESSMENT NO. R-01-30

2. BILL NO. B-79 - ORDINANCE NO. 01-71 - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM R-A/UGM TO M-3/UGM

President Perea announced the time had arrived to consider the issue and opened the hearing. Planner Lewis gave a brief overview of the staff report as submitted and recommended approval.

Upon call, no one wished to be heard and President Perea closed the hearing.

On motion of Acting President Ronquillo, seconded by Councilmember Duncan, duly carried, RESOLVED, the Mitigated Negative Declaration for Environmental Assessment No. R-01-30 hereby approved, and the above entitled Bill No. B-79 to rezone the subject property upon compliance with the requirements of FMC Section 12-403-K and L adopted as Ordinance No. 01-71, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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(3B) * BILL NO. B-75 - ORDINANCE NO. 01-72 - AMEND SECTIONS OF THE FRESNO MUNICIPAL CODE RELATING TO DISABILITY RETIREMENT BENEFITS IN THE FIRE AND POLICE RETIREMENTS SYSTEM

1. BILL NO. B-76 - ORDINANCE NO. 01-73 - AMEND THE FRESNO MUNICIPAL CODE RELATING TO DISABILITY RETIREMENT BENEFITS IN THE EMPLOYEES RETIREMENT SYSTEM

On motion of Councilmember Duncan, seconded by President Perea, duly carried, RESOLVED, the above entitled Bill Nos. B-75 and B-76 adopted as Ordinance Nos. 01-72 and 01-73, by the following vote:

Ayes : Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes : None
Absent : None

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(3C) *RESOLUTION NO. 01-312 - SUBMITTING TO CITY ELECTORS AT THE MARCH 5, 2002, ELECTION, A PROPOSAL TO AMEND THE CHARTER REGARDING CITY PROCUREMENT AND COMPETITIVE BIDDING

City Attorney Montoy gave a brief overview of the staff report as submitted. Councilmember Duncan made a motion to adopt the resolution and noted and submitted into the record a letter from the Construction Industry Force Account Council, which letter is on file in the office of the City Clerk, and asked that the valid concerns and recommendations at least be considered, with Ms. Montoy responding.

Brief discussion ensued with Ms. Montoy and Assistant City Manager Souza responding to questions of Councilmember Boyajian, President Perea and Acting President Ronquillo relative to the informal process, what the threshold for requiring competitive bidding would be increased to if approved by the voters, and if the \$100,000 expenditure applied only to public works issues. President Perea left at 11:08 a.m. and returned later in the meeting.

On motion of Councilmember Duncan, seconded by Acting President Ronquillo, duly carried, RESOLVED, the above entitled Resolution No. 01-312 hereby adopted, by the following vote:

Ayes : Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo
Noes : None
Absent : Perea

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(3D) RATIFICATION OF RESPONSES OF THE 2000-2001 GRAND JURY REPORT

Assistant City Manager Souza gave a brief overview of the issue and along with City Attorney Montoy responded to questions of Councilmember Calhoun relative to how much time staff spent in responding to the huge report and if staff had any issues or concerns they wanted to comment on. Commendations were extended to Mr. Souza and Assistant City Attorney Avila for their great work in responding to the Grand Jury report and Acting President Ronquillo commented briefly on the process and ability to respond to public scrutiny.

On motion of Councilmember Boyajian, seconded by Councilmember Castillo, duly carried, RESOLVED, the responses to 66-83, 98, 101, 102 and 130-152 of the 2000-2001 Fresno Grand Jury Report hereby ratified, by the following vote:

Ayes : Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo
Noes : None
Absent : Perea

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(3E) APPROVE APPOINTMENT OF LEE BRAND TO THE PLANNING COMMISSION - MAYOR AUTRY

Councilmember Duncan and Acting President Ronquillo spoke in support of Mr. Brand citing his leadership and outstanding performance on the Northeast Implementation Committee and his professionalism as a businessman.

On motion of Councilmember Duncan, seconded by Councilmember Castillo, duly carried, RESOLVED, Lee Brand appointed to the Planning Commission, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo
Noes	:	None
Absent	:	Perea

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(11:15 A.M.) STATUS REPORT ON THE DOWNTOWN MULTI-PURPOSE STADIUM PROJECT

1. ACCEPT THE STADIUM PROJECT FINANCIAL STATUS REPORT

2. APPROVE CONSTRUCTION CHANGE ORDER NO. 6 WITH MAULDIN-DORFMEIER CONSTRUCTION, INC., IN THE AMOUNT OF \$562,3122

3. APPROVE AN AMENDMENT TO THE ORIGINAL AGREEMENT WITH HOK SPORTS, INC., TO PROVIDE FOR ADDITIONAL NEEDED ARCHITECTURAL SERVICES FOR THE STADIUM PROJECT IN AN AMOUNT NOT TO EXCEED \$411,000 AND AUTHORIZE THE ACTING ASSISTANT CITY MANAGER TO NEGOTIATE THE FINAL AMENDMENT AND FURTHER UTILIZATION OF THE CONTINGENCY NOT TO EXCEED \$411,000

President Perea returned to the meeting at 11:20 a.m. Acting Assistant City Manager Esquivel introduced involved principals and staff in attendance and gave a summary of the project status as contained in staff's report.

At this point proceedings were briefly interrupted and President Perea called for Oral Communications.

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UNSCHEDULED ORAL COMMUNICATIONS

APPEARANCE BY DR. MOHAMMAD ASRAF, LOCAL MUSLIM LEADERS AND FAMILY MEMBERS OF THE VICTIM REQUESTING LAW ENFORCEMENT INVESTIGATE THE REEDLEY MURDER OF ABDO ALI AHMED AS A HATE CRIME

Appearance and request made. Council extended their condolences to the family and friends of Mr. Ahmed and offered assistance in way possible.

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(11:15 A.M.) STATUS REPORT ON THE DOWNTOWN MULTI-PURPOSE STADIUM PROJECT - CONTINUED

Proceedings continued.

Barbara Hunt, 612 "F" Street, spoke to the issue.

Councilmember Duncan commended everyone involved, stated he was very comfortable with where the project was at in the process and the actions being requested were appropriate, and made a motion to approve staff's recommendation, which motion was seconded and acted upon after discussion.

Mr. Esquivel, Public Works Director Williamson and Redevelopment Administrator Murphey responded to questions and/or comments of President Perea and Councilmembers Boyajian and Castillo relative to whether the funding being requested was included in the existing budget, amount in the contingency fund, there being non-worked out details and unforeseen matters when the contract was approved, if the project was one-third complete, Acting President Ronquillo commending staff **(5 - 0)** and stating the importance of staff's pro-activeness in ordering materials should be recognized, status on stadium parking, and parking space capacity expected by opening day. Staff was requested to include in the next status report the number of parking spaces to date, the \$3.5 million allocated for parking sites, the streetscape project status, and time line on number of parking spaces anticipated to have by certain dates.

On motion of Councilmember Duncan, seconded by Acting President Ronquillo, duly carried, **RESOLVED**, the stadium project financial status report hereby accepted; Construction Change Order No. 6 with Mauldin-Dorfmeier Construction, Inc., in the amount of \$562,3122 hereby approved; and the amendment to the original agreement with HOK Sports, Inc., to provide for additional needed architectural services for the stadium project in an amount not to exceed \$411,000 hereby approved and the Acting Assistant City Manager authorized to negotiate the final amendment and further utilization of the contingency not to exceed \$411,000, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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LUNCH RECESS - 11:44 A.M. - 2:06 PM. Councilmember Quintero was absent and returned after closed session.

(1A4a) * RESOLUTION NO. 01-313 - 26TH AMENDMENT TO AAR 01-200 TRANSFERRING \$2,625 FROM THE MAYOR'S YOUTH SERVICES CONTINGENCY TO MATCH CONTRIBUTIONS COLLECTED BY THE EDISON BABE RUTH LEAGUE - MAYOR AUTRY

Noting this looked like the first of a number of requests that would be coming from the Mayor, Councilmember Calhoun questioned the basis and/or criteria the Mayor used in selecting the Edison Babe Ruth League, stated maybe a plan was needed on how to spend the matching funds, and encouraged the Mayor to consider some youth activities that Council was not able to fund, with Mayor Chief of Staff White and Acting President Ronquillo responding to questions and/or clarifying how the Edison Babe Ruth situation came to the Mayor's attention. Ms. White advised some formal criteria for future funding would be developed and submitted to Council.

Councilmember Duncan spoke in support of the matter and clarified this was a match of funds and not a gift adding he would like to see more matches next year, and made a motion to adopt the resolution. Ms. White responded to additional questions relative to the number of kids involved, disadvantaged kids being a criteria, and if youth groups/services that helped or benefitted the community would be looked at for funding. Ms. White requested Council submit to the Mayor for funding consideration any ideas or programs in their districts that were worthy and taking steps to raise money on their own.

On motion of Councilmember Duncan, seconded by Acting President Ronquillo, duly carried, RESOLVED, the above entitled Resolution No. 01-313 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Ronquillo, Perea
Noes	:	None
Absent	:	Quintero

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(2:00 P.M.) CLOSED SESSION:

(A) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE OF LITIGATION - CASE NAME: PATRIOT HOMES FRESNO I AND II V. CITY OF FRESNO

(B) CONFERENCE WITH LABOR NEGOTIATOR - EMPLOYEE ORGANIZATIONS:

1. INTERNATIONAL UNION OF OPERATING ENGINEERS, STATIONARY ENGINEERS LOCAL 39 (LOCAL 39)
2. INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 100 (IBEW)

The Council met in closed session in Room 2125 at the hour of 2:30 p.m. to consider the above matters and reconvened in regular open session at 3:09 p.m.

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(3:00 P.M.) HOUSING AND URBAN DEVELOPMENT (HUD) WORKSHOP - COUNCILMEMBER BOYAJIAN

Councilmember Boyajian thanked HUD officials and staff for their attendance and gave a brief overview noting this would be an educational workshop to discuss and/or obtain information on issues such as how to leverage funds received from HUD, eliminating blight, involve the private sector in housing, and to obtain ideas from HUD and see what other successful cities had done or were doing.

A presentation was given by Steve Sachs from HUD who explained funds were required to be used to assist low to moderate income citizens and/or prevent or eliminate blight and elaborated, and responded at length to numerous Council questions and/or comments relative to, among others, loans and the use of Section 8 funds with profit and non-profit organizations, what other communities were doing with their funding, the HOME Program, the Consolidated Plan, **(6 - 0)**, how the private sector could get involved, what successful cities could be looked at relative to housing, economic development, need to leverage dollars, the need to focus on loans to keep the money cycle going, rehabilitation programs, borrowing funds for infrastructure needs, Fannie Mae, if CDBG funds could be used to supplement city services, CHDOs, if the city could purchase HUD homes, and what other things HUD funds could be used such as buying vacant commercial buildings and partnering with private enterprise on housing.

Speaking to the issue were Dallas Debatin, who stated improved code enforcement and general city clean-up was needed and critical to a successful downtown **(7 - 0)**; and Peggy Grant, who recommended Council visit Madera's successful downtown residential transformation.

Council thanked Mr. Sachs for his presentation and information and there was no further discussion.

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ADJOURNMENT

There being no further business to bring before the Council, the hour of 4:27 p.m. having arrived and hearing no objections, President Perea declared the meeting adjourned.

APPROVED on the 9th day of October, 2001.

ATTEST:_____

Henry Perea, Council President

Yolanda Salazar, Assistant City Clerk

